

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

HERCULES STEEL COMPANY, INC.,

Plaintiff,

v.

SAUER INCORPORATED

Defendant.

CIVIL ACTION NO. 5:18-cv-00233-D

AGREED ORDER OF DISMISSAL

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff, Hercules Steel Company, Inc., and Defendant, Sauer Incorporated, hereby stipulate to the dismissal, with prejudice, of Plaintiff's claims against Sauer Incorporated in the above-captioned matter.

IT IS HEREBY ORDERED that Plaintiff's claims against Defendant, Sauer Incorporated, in the above-captioned matter are dismissed with prejudice. Each party is to bear its own costs and attorney's fees.

SO ORDERED this 21 day of October, 2019.

James C. Dever III

JAMES C. DEVER III
United States District Judge

SEEN AND AGREED TO:

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